

ORIGINAL

EDWARD H. KUBO, JR. #2499
United States Attorney
District of Hawaii

SEALED
BY ORDER OF THE COURT

FLORENCE T. NAKAKUNI #2286
Chief, Narcotics Section

CHRIS A. THOMAS #3514
Assistant U.S. Attorney
Room 6-100, PJKK Federal Building
300 Ala Moana Boulevard
Honolulu, Hawaii 96850
Telephone: (808) 541-2850
Facsimile: (808) 541-2958
E-mail: Chris.Thomas@usdoj.gov

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

OCT 08 2003
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WALTER A.Y.H. CHINN, CLERK

Attorneys for Plaintiff
UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

CR 03-00496

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| | | |
|---------------------------|---|----------------------------|
| UNITED STATES OF AMERICA, |) | CR. NO. |
| |) | |
| Plaintiff, |) | INDICTMENT |
| |) | |
| vs. |) | [21 U.S.C. §§ 841(a)(1), |
| |) | (b)(1)(A), 843(b) and 846, |
| MARVIN POSTADAN, (01) |) | 18 U.S.C. §§ 2, |
| JESUS MADRIGAL, (02) |) | 1956(a)(1)(A)(i), 1956(h)] |
| a.k.a. "Jesse Ramirez" |) | |
| JASEN ANTONIO, (03) |) | |
| a.k.a. "Fluff", |) | |
| JEFFREY SILVA, (04) |) | |
| ALBERT PI, (05) |) | |
| NIKA MOFFET LOZANO, (06) |) | |
| SHAWN PADILLA, (07) |) | |
| AARON AKINA, (08) |) | |
| a.k.a. "Ola", |) | |
| FRANCIS OGATA, (09) |) | |
| a.k.a. "Bulla", |) | |
| KEITH STANCIL, (10) |) | |
| KEITH CARDINES, (11) |) | |
| KUULEI ANCHETA, (12) |) | |
| BURTON PATAO, (13) |) | |
| GEORGE PUA, (14) |) | |

GREG TAVARES, and (15))
ART RAMIREZ, (16))
)
Defendants.)
_____)

INDICTMENT

COUNT 1:

The Grand Jury charges that:

From on or about January 1, 1999, to and including September 30, 2003, in the District of Hawaii, and elsewhere,

**MARVIN POSTADAN,
JESUS MADRIGAL, a.k.a. "Jesse Ramirez,"
JASEN ANTONIO, a.k.a "Fluff",
JEFFREY SILVA, ALBERT PI,
NIKA MOFFET LOZANO, SHAWN PADILLA,
AARON AKINA, a.k.a. "Ola",
FRANCIS OGATA, KEITH STANCIL, KEITH CARDINES,
KUULEI ANCHETA, BURTON PATAO,
GEORGE PUA and GREG TAVARES,**

defendants herein, did willfully and unlawfully conspire together with each other and others known and unknown to the grand jury, to knowingly and intentionally possess with intent to distribute, fifty (50) grams or more of methamphetamine, its salts, isomers, and salts of its isomers, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A).

It was the object of the aforesaid conspiracy to possess methamphetamine for distribution in Hawaii.

WAYS AND MEANS OF ACCOMPLISHING THE CONSPIRACY

1. MARVIN POSTADAN, purchased methamphetamine from JESUS MADRIGAL, a.k.a. "Jesse Ramirez", in California, for distribution in Hawaii.

2. MARVIN POSTADAN paid JESUS MADRIGAL for the methamphetamine with aid of, among others, ALBERT PI and NIKA MOFFET LOZANO.

3. JASEN ANTONIO, and JEFFREY SILVA distributed the methamphetamine on the Big Island of Hawaii for MARVIN POSTADAN.

4. KEITH STANCIL, GEORGE PUA, KUULEI ANCHETA, AARON AKINA, FRANCIS OGATA and KEITH CARDINES were sub-distributors of methamphetamine for JEFFREY SILVA.

5. BURTON PATAO, SHAWN PADILLA and ALBERT PI were sub-distributors of methamphetamine for MARVIN POSTADAN.

6. The co-conspirators used cellular telephones to plan, coordinate and execute their agreement to distribute methamphetamine.

OVERT ACTS

In furtherance of said conspiracy and to effect the objects thereof, the defendants performed overt acts in the District of Hawaii and elsewhere which include, but are not limited to, the following:

1. On or about July 9, 2003, JASEN ANTONIO discussed with JEFFREY SILVA on the telephone that they will be distributing methamphetamine with MARVIN POSTADAN.

2. On or about July 20, 2003, JEFFREY SILVA and JASEN ANTONIO discuss on the telephone the status of JASEN ANTONIO's drug trafficking activities and promises him that there will be more drugs for him to sell from MARVIN POSTADAN.

3. On or about August 11, 2003, MARVIN POSTADAN and BURTON PATAO discuss on the telephone the distribution of a quantity of methamphetamine.

4. On or about August 13, 2003, MARVIN POSTADAN and JASEN ANTONIO discuss on the telephone the status of JASEN ANTONIO's drug trafficking activities.

5. On or about August 13, 2003, MARVIN POSTADAN and JEFFREY SILVA discuss on the telephone the status of JEFFREY SILVA's drug trafficking activities.

6. On or about August 15, 2003, MARVIN POSTADAN and NIKA MOFFETT LOZANO discuss on the telephone the status of the drug trafficking activities and the collection of the proceeds from those activities.

7. On or about August 15, 2003, MARVIN POSTADAN and SHAWN PADILLA discuss on the telephone the status of his drug trafficking activities and the collection of the proceeds from those activities.

8. On or about August 29, 2003, JEFFREY SILVA and AARON AKINA discuss on the telephone the status of his drug trafficking activities and the collection of the proceeds from those activities.

9. On or about August 29, 2003, JEFFREY SILVA and FRANCIS OGATA discuss on the telephone the status of his drug trafficking activities and the collection of the proceeds from those activities.

10. On or about August 29, 2003, JEFFREY SILVA and GREGORY TAVARES discuss on the telephone the distribution of a quantity of methamphetamine.

11. On or about September 1, 2003, JEFFREY SILVA and KUULEI ANCHETA discuss on the telephone the distribution of a quantity of methamphetamine.

12. On or about September 6, 2003, JEFFREY SILVA and GEORGE PUA discuss on the telephone the distribution of a quantity of methamphetamine.

13. On or about September 7, 2003, JEFFREY SILVA and KEITH CARDINES discuss the distribution of a quantity of methamphetamine and the status of a new shipment of drugs.

14. On or about September 10, 2003, KEITH STANCIL and JEFFREY SILVA discuss on the telephone KEITH STANCIL exchanging a 9mm handgun for a quantity of methamphetamine from JEFFREY SILVA.

15. On or about September 16, 2003, MARVIN POSTADAN and JESUS MADRIGAL discuss on the telephone the status of the shipment of money that was by MARVIN POSTADAN and ALBERT PI to JESUS MADRIGAL.

16. On or about September 17, 2003, MARVIN POSTADAN and ALBERT PI discuss status of the shipment of money to JESUS MADRIGAL.

17. On or about September 18, 2003, approximately \$99,030 is seized from a shipment sent by MARVIN POSTADAN and ALBERT PI to JESUS MADRIGAL.

All in violation of Title 21, United States Code, Section 846.

COUNT 2:

The Grand Jury further charges that:

From on or about May 1, 2003, to and including September 30, 2003, in the District of Hawaii, and elsewhere,

**MARVIN POSTADAN,
JESUS MADRIGAL, a.k.a. "Jesse Ramirez,
JASEN ANTONIO, a.k.a. "Fluff",
JEFFREY SILVA, ALBERT PI,
NIKA MOFFET LOZANO, SHAWN PADILLA,
AARON AKINÁ, a.k.a. "Ola", FRANCIS OGATA,
KEITH STANCIL, KEITH CARDINES,
KUULEI ANCHETA, BURTON PATAO,
GEORGE PUA and GREG TARVARES,**

did knowingly and intentionally possess with intent to distribute, 50 grams or more of methamphetamine, its salts, isomers, and salts of its isomers, a Schedule II controlled

substance, in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(A) and Title 18 United States Code, Section 2.

COUNT 3:

The Grand Jury further charges that:

On or about August 11, 2003, within the District of Hawaii, **BURTON PATAO**, used and caused to be used a communications facility, that is a telephone, in causing or facilitating the commission of a conspiracy to possess with intent to distribute methamphetamine, a Schedule II controlled substance, a felony under Title 21, United States Code, Section 846.

All in violation of Title 21, United States Code, Section 843(b).

COUNT 4:

The Grand Jury further charges that:

On or about August 15, 2003, within the District of Hawaii, **NIKA MOFFETT LOZANO**, used and caused to be used a communications facility, that is a telephone, in causing or facilitating the commission of a conspiracy to possess with intent to distribute methamphetamine, a Schedule II controlled substance, a felony under Title 21, United States Code, Section 846.

All in violation of Title 21, United States Code, Section 843(b).

COUNT 5:

The Grand Jury further charges that:

On or about August 15, 2003, within the District of Hawaii, **SHAWN PADILLA**, used and caused to be used a communications facility, that is a telephone, in causing or facilitating the commission of a conspiracy to possess with intent to distribute methamphetamine, a Schedule II controlled substance, a felony under Title 21, United States Code, Section 846.

All in violation of Title 21, United States Code, Section 843(b).

COUNT 6:

The Grand Jury further charges that:

On or about August 29, 2003, within the District of Hawaii, **AARON AKINA, a.k.a. "Ola"**, used and caused to be used a communications facility, that is a telephone, in causing or facilitating the commission of a conspiracy to possess with intent to distribute methamphetamine, a Schedule II controlled substance, a felony under Title 21, United States Code, Section 846.

All in violation of Title 21, United States Code, Section 843(b).

COUNT 7:

The Grand Jury further charges that:

On or about August 29, 2003, within the District of Hawaii, **FRANCIS OGATA, a.k.a. "Bulla"**, used and caused to be used a communications facility, that is a telephone, in causing or facilitating the commission of a conspiracy to possess with intent to distribute methamphetamine, a Schedule II controlled substance, a felony under Title 21, United States Code, Section 846.

All in violation of Title 21, United States Code, Section 843(b).

COUNT 8:

The Grand Jury further charges that:

On or about August 29, 2003, within the District of Hawaii, **GREGORY TAVARES**, used and caused to be used a communications facility, that is a telephone, in causing or facilitating the commission of a conspiracy to possess with intent to distribute methamphetamine, a Schedule II controlled substance, a felony under Title 21, United States Code, Section 846.

All in violation of Title 21, United States Code, Section 843(b).

COUNT 9:

The Grand Jury further charges that:

On or about September 1, 2003, within the District of Hawaii, **KUULEI ANCHETA**, used and caused to be used a communications facility, that is a telephone, in causing or facilitating the commission of a conspiracy to possess with intent to distribute methamphetamine, a Schedule II controlled substance, a felony under Title 21, United States Code, Section 846.

All in violation of Title 21, United States Code, Section 843(b).

COUNT 10:

The Grand Jury further charges that:

On or about September 6, 2003, within the District of Hawaii, **GEORGE PUA**, used and caused to be used a communications facility, that is a telephone, in causing or facilitating the commission of a conspiracy to possess with intent to distribute methamphetamine, a Schedule II controlled substance, a felony under Title 21, United States Code, Section 846.

All in violation of Title 21, United States Code, Section 843(b).

COUNT 11:

The Grand Jury further charges that:

On or about September 7, 2003, within the District of Hawaii, **KEITH CARDINES**, used and caused to be used a communications facility, that is a telephone, in causing or facilitating the commission of a conspiracy to possess with intent to distribute methamphetamine, a Schedule II controlled substance, a felony under Title 21, United States Code, Section 846.

All in violation of Title 21, United States Code, Section 843(b).

COUNT 12:

The Grand Jury further charges that:

On or about September 10, 2003, within the District of Hawaii, **JEFFREY SILVA**, used and caused to be used a communications facility, that is a telephone, in causing or facilitating the commission of a conspiracy to possess with intent to distribute methamphetamine, a Schedule II controlled substance, a felony under Title 21, United States Code, Section 846.

All in violation of Title 21, United States Code, Section 843(b).

COUNT 13:

The Grand Jury further charges that:

From on or about May 1, 2003, to and including
September 30, 2003, in the District of Hawaii, and elsewhere,

**MARVIN POSTADAN,
JESUS MADRIGAL, a.k.a. "Jesse Ramirez",
JASEN ANTONIO, a.k.a. "Fluff", JEFFREY SILVA,
ALBERT PI, NIKA MOFFET LOZANO,
and ART RAMIREZ**

defendants herein, did willfully and unlawfully conspire with each other and others known and unknown to the grand jury, to knowingly and intentionally conduct financial transactions affecting interstate commerce, such transactions involving the proceeds of a specified unlawful activity, that is the distribution of methamphetamine, with the intent to promote the carrying on of specified unlawful activity, and that while conducting such financial transaction knew that the property involved in the financial transaction, represented the proceeds of some form of unlawful activity, in violation of Title 18, United States Code, Section 1956(a)(1)(A)(i).

It was the object of the aforesaid conspiracy to launder monetary instruments.

OVERT ACTS

In furtherance of said conspiracy and to effect the objects thereof, the defendants performed overt acts in the

District of Hawaii and elsewhere which include, but are not limited to, the following:

1. On or about August 13, 2003, MARVIN POSTADAN and JASEN ANTONIO discuss on the telephone the status of JASEN ANTONIO's drug trafficking activities.

2. On or about August 13, 2003, MARVIN POSTADAN and JEFFREY SILVA discuss on the telephone the status of JEFFREY SILVA's drug trafficking activities.

3. On or about August 15, 2003, MARVIN POSTADAN and NIKA MOFFETT LOZANO discuss on the telephone the status of the drug trafficking activities and the collection of the proceeds from those activities.

4. On or about August 15, 2003, MARVIN POSTADAN and SHAWN PADILLA discuss on the telephone the status of his drug trafficking activities and the collection of the proceeds from those activities.

5. On or about August 29, 2003, JEFFREY SILVA and AARON AKINA discuss on the telephone the status of his drug trafficking activities and the collection of the proceeds from those activities.

6. On or about September 16, 2003, MARVIN POSTADAN and JESUS MADRIGAL discuss on the telephone the status of the shipment of money that was by MARVIN POSTADAN and ALBERT PI to JESUS MADRIGAL.

7. On or about September 17, 2003, MARVIN POSTADAN and ALBERT PI discuss status of the shipment of money to JESUS MADRIGAL.

8. On or about September 18, 2003, ART RAMIREZ accepted a shipment sent by MARVIN POSTADAN and ALBERT PI in the amount of approximately \$99,030 for JESUS MADRIGAL.

9. On or about September 18, 2003, approximately \$99,030 was seized from a shipment sent by MARVIN POSTADAN and ALBERT PI to JESUS MADRIGAL.

All in violation of Title 18, United States Code, Section 1956(h).

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DATED: October 8, 2003 at Honolulu, Hawaii.

A TRUE BILL

FOREPERSON, GRAND JURY

EDWARD H. KUBO, JR.
United States Attorney
District of Hawaii

Florence T. Nakakuni
FLORENCE T. NAKAKUNI
Chief, Narcotics Section

Chris A. Thomas
CHRIS A. THOMAS
Assistant U.S. Attorney

U.S. v. Marvin Postadan, et al.
"Indictment"
Cr. No.